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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,903	10/05/2000	Sheri L. Meyer	510554.95181	8323
26371	7590	12/07/2005	EXAMINER	
FOLEY & LARDNER LLP 777 EAST WISCONSIN AVENUE SUITE 3800 MILWAUKEE, WI 53202-5308			PIHULIC, DANIEL T	
			ART UNIT	PAPER NUMBER
			3662	

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-compliance with 35 U.S.C. 112 of application having SIR Request	Application/Control No.	Applicant(s)	
	09/679,903	MEYER ET AL.	
	Examiner	Art Unit	
	Daniel Pihulic	3662	

An examination of the above identified application indicates that it does not comply with 35 U.S.C. 112 because:

1. ☐ The specification does not contain a written description of the invention, and the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same. (See attached sheet(s)).
Accordingly, claim(s) _____ is/are rejected under 35 U.S.C. 112. first paragraph, as being based on an insufficient disclosure.
2. ☐ The specification does not set forth the best mode contemplated by the inventor for carrying out the invention. (See attached sheet(s)).
Accordingly, claim(s) _____ is/are rejected as being based on an insufficient disclosure.
3. ☒ The claims do not particularly point out or distinctly claim the subject matter which the applicant regards as the invention. Specifically claim(s) 7,15,16,19 and 37 is/are rejected as failing to comply with 35 U.S.C. 112, second paragraph. (See attached sheet(s))
4. ☐ Other; _____.

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted in this action is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a). The Request for a Statutory Invention Registration will not be given further consideration until the application is amended to be in compliance with 35 U.S.C. 112.

Attachment(s)

- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 2 <input type="checkbox"/> Notice of Informal S.I.R. Request |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 4 <input type="checkbox"/> Examiner's Amendment/Comment |
| 5 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ | 6 <input type="checkbox"/> Other _____ |

Art Unit: 3662

1. Claims 7, 15, 16, 19 and 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the same occupant" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the area" in line 2. There is insufficient antecedent basis for this limitation in the claim. Claim 16 is rejected for depending from the aforementioned claim.

Claim 19 recites the limitation "the same occupant" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 37 recites the limitation "the same occupant" in line 3. There is insufficient antecedent basis for this limitation in the claim.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pihulic whose telephone number is 571-272-6977. The examiner can normally be reached on Tuesday through Thursday from 5:30 a.m. to 4 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Tarcza, can be reached on 571-272-6979.


The fax phone numbers for the organization where this application or proceeding is assigned are:

571-273-8300 for official responses, and

571-273-6977 for unofficial communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-3600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Daniel T. Pihulic
Primary Examiner
T.C. Art Unit 3662